

# GIRARD GIBBS

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ATTORNEYS AT LAW

December 12, 2016

**VIA ECF**

The Honorable William H. Pauley, III  
United States District Court for the  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Room 1920  
New York, NY 10007

Re: *Sergeants Benevolent Ass'n Health & Welfare Fund v. Fougere Pharms., Inc., et al.*,  
No. 16-cv-07229-WHP; *Sergeants Benevolent Ass'n Health & Welfare Fund v.*  
*Fougere Pharms., Inc., et al.*, No. 16-cv-07987-WHP; *Sergeants Benevolent Ass'n*  
*Health & Welfare Fund v. Taro Pharms. Indus., et al.*, No. 16-cv-08911-WHP

Dear Judge Pauley:

Pursuant to Rule III. F of Your Honor's Individual Rules of Practice, Sergeants Benevolent Association Health & Welfare Fund respectfully submits the attached chart specifying each motion paper and memorandum filed by any party in connection with Sergeants' motions in the above referenced actions.

Respectfully submitted,



Daniel C. Girard

Copies to all counsel of record by ECF  
Attachment

**ATTACHMENT**

<b>Parties' Initial Motions and Papers</b>		
<b>Date</b>	<b>Motion Papers and Memoranda</b>	<b>Docket Information</b>
Nov. 22, 2016	<p>Sergeants Benevolent Association Health &amp; Welfare Fund's ("Sergeants") Motion for Consolidation, Appointment of Girard Gibbs LLP as Interim lead Counsel, and Limited Production of DOJ Subpoenas</p> <p>Sergeants' Memorandum of Law in Support of Motion</p> <p>Declaration of Daniel C. Girard in Support of Sergeants' Motion</p>	<p>16-cv-7229, ECF No. 73-75</p> <p>16-cv-7987, ECF Nos. 54-56, 68</p> <p>16-cv-8911, ECF Nos. 16-18</p>
Nov. 22, 2016	<p>Defendants' Joint Motion to Sever and to Consolidate</p> <p>Memorandum of Law in Support of Defendants' Joint Motion to Sever and Consolidate</p> <p>Declaration of Margaret A. Rogers in Support of Defendants' Joint Motion to Sever and Consolidate</p>	<p>16-cv-7229, ECF Nos. 64-66</p> <p>16-cv-7979, ECF Nos. 46-48</p> <p>16-cv-7987, ECF Nos. 51-53</p> <p>16-cv-8109, ECF Nos. 63-65</p> <p>16-cv-8374, ECF Nos. 57-59</p> <p>16-cv-8469, ECF Nos. 43, 45-46</p> <p>16-cv-8539, ECF Nos. 29-31</p>
Nov. 22, 2016	<p>NECA-IBEW Welfare Trust Fund's ("NECA") Motion for Consolidation of the Clobetasol Claims and Appointment of Boies, Schiller &amp; Flexner LLP and Robbins Geller Rudman &amp; Dowd LLP as Interim Lead Counsel</p> <p>Memorandum of Law in Support of NECA-IBEW's Motion</p> <p>Declaration of David W. Mitchell in Support of NECA-IBEW's Motion</p>	<p>16-cv-7229, ECF Nos. 67-69</p> <p>16-cv-8109, ECF Nos. 66, 68-69</p>
Nov. 22, 2016	<p>Plumbers &amp; Pipefitters Local 178 Health and Welfare Trust Fund's ("Plumbers &amp; Pipefitters") Motion for Appointment of Hausfeld LLP as Interim Lead Counsel and for Coordination and Consolidation of Clobetasol and Desonide Actions, and Statement Regarding Limited, Early Discovery</p>	<p>16-cv-8374, ECF Nos. 54-56</p>

	<p>Memorandum of Law in Support of Plumbers &amp; Pipefitters's Motion</p> <p>Declaration of Scott Martin in Support of Plumbers &amp; Pipefitters' Motion</p>	
Nov. 22, 2016	<p>International Union of Operating Engineers Local 30 Benefits Fund's ("IUOE") Motion to Appoint Interim Leadership Counsel Pursuant to Fed. R. Civ. P. 23(g); for Consolidation of Clobetasol and Desonide Actions; and Statement Advocating for Limited, Early Discovery</p> <p>Memorandum of Law in Support of IUOE's Motion</p> <p>Declaration of Frank R. Schirripa in Support of IUOE's</p>	16-cv-7229, ECF Nos. 70-72
Nov. 22, 2016	<p>A.F. of L. – A.G.C. Building Trades Welfare Plan's (A.F. of L.") Motion to Consolidate and Appoint Interim Lead Counsel</p> <p>A.F. of L.'s Memorandum of Law in Support of Motion</p> <p>Declaration of Michael M. Buchman in Support of Motion</p>	16-cv-8469, ECF Nos. 51-53
Nov. 22, 2016	A. F. of L. and NECA's Motion for Limited Pretrial Discovery	16-cv-8469, ECF Nos. 54-56
Dec. 7, 2016	<p>UFCW Local 1500 Welfare Fund's Motion to Consolidate and Coordinate Cases, Appoint Labaton Sucharow LLP as Interim Lead Counsel for End-Payor Plaintiffs, and Permit Limited Early Discovery</p> <p>Memorandum of Law in Support of Motion</p> <p>Declaration of Gregory S. Asciolla in Support of Motion</p>	<p>16-cv-9392, ECF Nos. 10-12</p> <p>16-cv-9431, ECF Nos. 6-8</p>

<b>Parties' Responses and Oppositions</b>		
<b>Date</b>	<b>Motion Papers and Memoranda</b>	<b>Docket Information</b>
Dec. 2, 2016	<p>Sergeants' Memorandum of Law in Response to Motions for Consolidation and Appointment of Interim Lead Counsel</p> <p>Supplemental Declaration of Daniel C. Girard in Support of Motions for Consolidation and Appointment of Interim Lead Counsel</p>	<p>16-cv-7229, ECF Nos. 87-88  16-cv-7987, ECF Nos. 67-68  16-cv-8911, ECF Nos. 29-30</p>
Dec. 2, 2016	<p>Defendants' Joint Omnibus Memorandum of Law In Response to Plaintiffs' Motions Filed on November 22, 2016 Concerning Preliminary Discovery and Consolidation and/or Coordination</p> <p>Declaration of David N. Cinotti in Support of Memorandum of Law</p>	<p>16-cv-7229, ECF Nos. 84-85  16-cv-7987, ECF Nos. 65-66  16-cv-8109, ECF Nos. 73-74  16-cv-8469, ECF Nos. 57-58  16-cv-8911, ECF Nos. 27-28</p>
Dec. 2, 2016	NECA's Memorandum in Opposition to Complete Consolidation of the Clobetasol and Desonide Action	<p>16-cv-7229, ECF No. 86  16-cv-8109, ECF No. 75  16-cv-8374, ECF No. 73</p>
Dec. 2, 2016	Plumbers & Pipefitters' Responsive Memorandum of Law in Further Support of Motion for Appointment of Hausfeld LLP as Interim Lead Counsel and for Coordination and Consolidation of Clobetasol and Desonide Actions	16-cv-8374, ECF No. 72
Dec. 2, 2016	IUOE's Response in Further Support of its Motion to Appoint Interim Leadership Counsel Pursuant to Fed. R. Civ. P. 23(g); for Consolidation of Clobetasol and Desonide Actions; and Statement Advocating for Limited, Early Discovery	16-cv-7229, ECF No. 89
Dec. 2, 2016	<p>A.F. of L.'s Memorandum of Law in Support of Its Motion to Consolidate and Appoint Interim Lead Counsel</p> <p>Response Declaration of Michael M. Buchman to Memorandum of Law in Support of Its Motion to Consolidate and Appoint Interim Lead Counsel</p>	16-cv-8469, ECF Nos. 59-60

<b>Parties' Replies</b>		
Dec. 9, 2016	Sergeants' Reply in Support of its Motion for Consolidation, Appointment of Girard Gibbs LLP as Interim Lead Counsel, and Limited Production of DOJ Subpoenas	16-cv-7229, ECF No. 101 16-cv-7987, ECF No. 73 16-cv-8911, ECF No. 32
Dec. 9, 2016	Defendants' Joint Reply Brief In Further Support of Its Motion to Sever and to Consolidate	16-cv-7229, ECF No. 97 16-cv-7979, ECF No. 59 16-cv-7987, ECF No. 71 16-cv-8109, ECF No. 76 16-cv-8374, ECF No. 84 16-cv-8469, ECF No. 61 16-cv-8539, ECF No. 44
Dec. 9, 2016	NECA-IBEW's Reply Memorandum in Further Support of its Motion for Consolidation of the Clobetasol Claims, Appointment of Boies Schiller & Flexner and Robbins Geller as Interim Lead Counsel	16-cv-7229, ECF No. 99 16-cv-8109, ECF No. 78
Dec. 9, 2016	Plumbers & Pursuant to Rule III. F of Your Honor's Individual Rules of Practice, Sergeants Benevolent Association Health & Welfare Fund  respectfully submits the attached chart specifying each motion paper and memorandum filed by  any party in connection with Sergeants' motions in the above referenced actions Pipefitters' Reply Memorandum in Further Support of its Motion for Appointment of Hausfeld LLP as Interim Lead Counsel and for Coordination and Consolidation of Actions	16-cv-8374, ECF No. 83
Dec. 9, 2016	IUOE's Reply in Further Support of its Motion to Appoint Interim Lead Counsel Pursuant to Fed. R. Civ. P. 23(g); For Consolidation of Clobetasol and Desonide Actions	16-cv-7229, ECF No. 100
Dec. 9, 2016	A.F. of L. and NECA's Reply Memorandum in Further Support of the Motion for Limited Preliminary Discovery	16-cv-8469, ECF No. 62